

REMARKS

A number of claims were rejected under 35 U.S.C. 102 as being anticipated by U.S. Patent 6,006,016 issued to Faigon et al whose Abstract describes,

“A method and apparatus for correlating faults in a networking system. A database of fault rules is maintained along with and associated probable causes, and possible solutions for determining the occurrence of faults defined by the fault rules. The fault rules include a fault identifier, an occurrence threshold specifying a minimum number of occurrences of fault events in the networking system in order to identify the fault, and a time threshold in which the occurrences of the fault events must occur in order to correlate the fault. Occurrences of fault events in the networking system are detected and correlated by determining matched fault rules which match the fault events and generating a fault report upon determining that a number of occurrences for the matched fault rules within the time threshold is greater than or equal to the occurrence threshold for the matched fault rules” (emphasis added).

Therefore, the system described by Faigon specifically relies upon a minimum number of occurrences of a particular fault event in combination with a time threshold in which the minimum number of faults must occur to generate a fault report. In other words, the fault report is only generated when a number of occurrences for the matched fault rules within the time threshold is greater than or equal to the occurrence threshold for the matched fault rules. In this way, Faigon’s fault report is based solely upon the number of times a particular fault occurs in a given period of time.

In contrast, the invention as recited in claim 1, as amended, provides for fault analysis that is specifically directed at only those faults that have the potential to cause substantial system downtime. More specifically,

“detecting the network fault;
determining whether or not the detected network fault is a reportable network fault, *wherein the reportable network fault is limited to only those detected faults that present a clear and present risk of causing substantial system downtime*” (emphasis added)

Therefore, by limiting the reportable faults to only those most likely to cause substantial system downtime, the possibility of information overload is substantially decreased. This is in stark contrast to Faigon in which only the number of fault events during a specified period of time is considered relevant to generating a fault report regardless of the impact, if any, of the

reported fault event on system performance. Therefore, with the system described by Faigon, fault reports can be generated for inconsequential fault events having little or no system downtime consequences thereby wasting valuable system resources.

The Examiner also rejected a number of claims under 35 U.S.C. 103 (a) as being obvious under Faigon in view of a number of secondary references none of which taken in any combination with Faigon render the claims as amended unpatentable for being obvious, for at least the same reasons as stated for claim 1. Therefore, the Applicant believes that the invention as recited in the pending claims is not rendered obvious by the cited references taken singly or in any combination and respectfully requests that the Examiner withdraw the 103(a) rejection thereof.

Accordingly, the Applicant believes that claims 1 is allowable over the cited art and respectfully requests that the Examiner withdraw the rejection of claim 1.

Independent claims 10, 18, and 19 have been amended to recite substantially the same limitation as claim 1 and are also believed to be allowable for at least the reasons stated for claim 1.

All dependent claims depend either directly or indirectly from independent claims 1, 10, 18, and 18 and therefore also believed to be allowable over the cited art.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all pending claims are allowable. Should the Examiner believe that a further telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,



Francis G. Montgomery
Reg. No 41,202

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830
(732) 321-3130